

DAILY PILOT

Wednesday, April 11, 2012
12:24 p.m. PDT

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Mailbag: Planning Commission did not approve DEIR

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April 10, 2012 | 8:08 p.m.

Re. "Commentary: A developed Banning Ranch will make us miserable," April 5:

I would like to applaud Gary Reasoner for taking the time to make sure his voice is heard regarding the Banning Ranch issue. He is correct when he asserts that the Banning Ranch issue affects everyone in Newport Beach and surrounding communities.

However, he is incorrect when he states the Newport Beach Planning Commission approved the draft environmental impact report (DEIR) for the Banning Ranch Development Project.

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First, the DEIR is a disclosure document that is not subject to approval or disapproval. Disclosure documents like the DEIR are certified to reveal all of the known environmental impacts whether mitigated or unmitigated prior to development.

Second, the Planning Commission does not have the authority to certify a document of this nature. The commission was charged by the Newport Beach City Council to hold a public hearing to help it make a determination as to whether or not all of the environmental impacts resulting from the proposed development were revealed in the study.

Following the hearing, the commission was to recommend, or not recommend, certification of the document to the council based on its determination. The commission did not approve the DEIR for the Banning Ranch Development Project. Upon conclusion of the public hearing, it determined that all of the known environmental impacts were disclosed and recommended the council certify the report.

It is not clear to me that Mr. Reasoner actually read the blog that he refers to in his letter, but if he did, he missed the issue that I raised in the entry. In my opinion, the Banning Ranch is not "open space" now. It remains fenced off to the public and the debris from years of oil operations

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make it too dangerous for anyone to walk on the property. The argument advanced in the blog entry was whether or not the slogan "Keep Banning Ranch Open Space" could deceive the general public about the current condition of the ranch. The conclusion that I reached was yes, it could be deceiving.

Mr. Reasoner takes my use of the term "win-win" out of the context for which I used it. Nowhere in the entry do I state or even suggest that Newport Beach "wins" if the Banning Ranch property is partially developed. My use of the term "win-win" was in reference to one possible solution serving both the interests of both the property owners and those who want the Banning Ranch to remain open space.

The Planning Commission is charged with conducting a technical review of applications for permits allowing for various kinds of land use within Newport Beach. My role as a commissioner is to determine whether or not the application meets certain standards relative to various city ordinances and zoning code. My personal opinion on how and particular parcel of land within the city should be used is irrelevant to making such a determination.

I have never met Mr. Reasoner and, to my knowledge, we have not spoken to one another. In short, he does not know me personally and has no first-hand knowledge of my convictions or my character. To suggest that I am somehow a pawn appointed to the commission in order to further a city agenda perceived by Mr. Reasoner is beyond inappropriate; it is just wrong.

Despite my concern over this particular letter, I believe that Mr. Reasoner and all stakeholders in the Banning Ranch property and any other issue facing our city should continue to make their voices heard. I would only caution that sometimes our passion for these issues can preclude us from seeing the logic in a different point of view.

Tim Brown
Newport Beach

The writer is a Newport Beach planning commissioner.



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